

- prepare a document for signing;
- request said user to insert said media in a compact disc (CD) and digital versatile disc (DVD) drive;
- request said pass phrase from said user;
- 5 - add a rollover date to said pass phrase;
- decrypt said data;
- if decryption is not valid, return to "request pass phrase from said user" step above;
- if decryption is valid, access data for signature;
- wrap said prepared document with said signature;
- 10 - attach a public key to said document;
- verify identity of a processor; and
- send said document to said processor.

Comments

15 The examiner has rejected all claims 1 - 20 and attempted to cite anticipatory, prior art with respect to the invention delineated in the specification and as described in the less than competently drafted "alleged" claims. It is applicant's understanding now that the 20 alleged independent claims are not claims at all, but are more so "objects of the invention". By this amendment, applicant has therefor cancelled all 20 independent, original "claims" and inserted said "claim" matter under a new heading in the specification as

20 "Objects of the Invention."

Applicant has then proceeded to add new claims 21 and 22 for which antecedent basis can be found with more than adequate description in the specification on page 15, paragraph 73, and Figure 8, and on page 16, paragraph 80, and Figure 9.

By this amendment, applicant has deleted any claimed reference to any apparatus aspect of the invention as

25 filed, thereby narrowing the scope of the claimed invention and has crafted two relatively narrow process claims delineating the process aspect of the invention, thereby further narrowing the scope of the claimed invention.

In canceling all claims rejected by the examiner in light of the cited prior art of record, and on a review of the cited art, it is applicant's opinion that the examiner's grounds for rejection are rendered moot at this time. None of the art cited appears to read on the invention.

Claim rejection under 35USC112

- 5 The Examiner rejects claims 1 - 5 and 7 - 20 as being indefinite for failing to particularly point out and distinctly claim subject matter of the invention.

In particular, the Examiner strains to find any steps for use of an optical disc...

Applicant urges that by deleting claims 1 - 5 and 7 - 20 and by addition of relatively detailed step claims 21 and 22, applicant has satisfied the Examiner's request for more definite claimed subject matter.

10 Claim rejection under 35USC101

The Examiner rejects claims 1 - 5 and 7 - 20 as being an unpatentable process due to lack of any disclosure of a stepped process.

Again, applicant has deleted all claims 1 - 20, and in adding new process claims 21 and 22, applicant has clearly delineated a stepped process.

- 15 Applicant urges that by such deletion and addition of competent process claims, applicant has complied with the Examiner's request for a proper process claim under 35USC101.

Withdrawal thereof is respectfully requested.

Claim rejection under 35USC102

With reference to Herzberg, 678

- 20 The Examiner rejects claims 1 - 5 as "as best understood" and as disclosed and anticipated by Herzberg. Herzberg discloses a method and system for detecting authorized programs within a data processing system. Herzberg delineates a process totally different from applicant's claimed invention under the amendment of this response.

The Examiner rejects applicant's claims to apparatus in view of and already invented by Herzberg.

- 25 By narrowing focus of applicant's invention, however, to a Process Claim alone, the Examiner's reference to Herzberg is rendered moot, and therefor the Examiner's rejection based on Herzberg should be withdrawn.

Withdrawal thereof is respectfully requested.

With reference to Davies, 258

The Examiner rejects claims 6, 10 - 11, "as best understood" as anticipated by Davies.

Davies deals primarily with an enciphered message stored in a tamper resistant store, which store also holds a secret/public key for access thereto.

5 Again Davies rejection is based on reference to apparatus. Applicant is not claiming apparatus in remaining claims 21 and 22, therefor the Examiner's rejection based on apparatus of Davies is rendered moot.

Withdrawal of rejections based on Davies is therefor respectfully requested.

With reference to Graunke, 137

10 The Examiner rejects claims 7 - 9 based on Graunke because Graunke discloses a method and apparatus of integrity verification.

Graunke discloses a method and apparatus of authenticating and verifying integrity of software modules, which modules initially establish corresponding credentials.

Again any rejection of the Examiner based on apparatus is rendered moot in that applicant by this amendment makes no apparatus claims. In addition, applicant's method for integrity verification and
15 authentication is distinctly different in applicant's invention process wherein applicant utilizes a Certificate Authority for verification of identity.

Applicant therefor respectfully requests withdrawal of the Examiner's rejection in view of new process claims of this amendment.

With reference to Rusnak, 056

20 The Examiner rejects claims 12 - 14 in view of Rusnak.

Rusnak does disclose a digital signature placed on a digital document along with a public key.

Rusnak, however, discloses primarily a method for limiting access to use of an owner's digital content stored in an information network, available to authorized users under specific conditions.

Again, applicant's primary theme is to enable a Certificate Authorized digital signature to be applied to a
25 verified document in a systematic manner.

Rusnik doesn't do this.

Request for rejection based on Rusnak is therefor respectfully requested.

With reference to Muftic, 423

The Examiner rejects claims 15 - 18 , 20 based on reference to Muftic.

Muftic deals primarily with access to digital networks via a Smart Card or PCMCIA card.

Muftic discloses methods to verifying digital signatures to electronic docs and transactions. Applicant, however, describes a verifiable process of applying and verifying a digital signature to a document. Applicant urges that Muftic is somewhat the opposite and teaches away from applicant's invention!

Applicant respectfully requests withdrawal of the Examiner's rejection under Muftic.

With reference to Tello, 537

The Examiner rejects claim 19 based on Tello's use of a digital signature used as a key to access personal computers (PC).

Tello relates to a PC with a unique encrypted digital signature which won't boot up or recognize data or peripherals without a personalized smart card that matches the encrypted data signature.

Applicant's use of a digital signature is not as a key to any digital equipment. Applicant's use of a digital signature is for proper authentication and verification of a particular document and bears no relationship to access any PC.

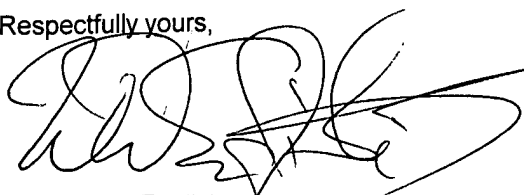
Withdrawal of the Examiner's rejection based on Tello is respectfully requested.

Conclusion

Applicant urges that all of the Examiner's rejections are rendered moot in addition to the foregoing analysis of prior art because the Examiner's rejections were addressed subject matter that is not claim material, but is descriptions of the invention and what the invention does as opposed to how the invention does it, and in particular lacks a showing as to what is novel about applicant's invention, and exactly what does applicant claim as the elements and/or steps of his invention. Applicant's "claims" were obviously drafted by a "layman" and not a patent attorney. Said "claims" are written in the format of another section of a typical patent application, i.e. "Objects of the Invention." Applicant has now written proper relatively narrow process claims that clearly show antecedent basis laid out in the specification and drawing. In this late stage of the application prosecution process, applicant has intentionally omitted any reference to apparatus claims thereby simplifying the this application with but two remaining process claims.

Approval of applicant's Petitions, Amendments, and Responses is earnestly solicited.

Respectfully yours,

A handwritten signature in black ink, appearing to read 'W. Douglas English', written over a horizontal line.

W. Douglas English

Patent Attorney, Reg # 30746